

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

In re:)	Case No. 21-44485-KAS
Carroll Tracey Oberlander)	Chapter 7
)	
Debtor)	TRUSTEE'S NOTICE OF
)	ABANDONMENT OF SILVER DOLLAR
Kristin J. Conwell, Trustee)	
Movant)	Response Due Date: April 19, 2022
)	Hearing Date: May 2, 2022
Carroll Tracey Oberlander)	Hearing Time: 10:00 a.m.
Debtor/Respondent)	Hearing Location: Floor 7, North

WARNING: THIS MOTION SEEKS AN ORDER THAT MAY ADVERSELY AFFECT YOU. IF YOU OPPOSE THE MOTION, YOU SHOULD IMMEDIATELY CONTACT THE MOVING PARTY TO RESOLVE THE DISPUTE. IF YOU AND THE MOVING PARTY CANNOT AGREE, YOU MUST FILE A RESPONSE AND SEND A COPY TO THE MOVING PARTY.

YOU MUST FILE AND SERVE YOUR RESPONSE WITHIN 14 DAYS OF THE DATE THIS WAS SERVED ON YOU.

YOUR RESPONSE MUST STATE WHY THE MOTION SHOULD NOT BE GRANTED. IF YOU DO NOT FILE A TIMELY RESPONSE, THE RELIEF MAY BE GRANTED WITHOUT FURTHER NOTICE TO YOU. IF YOU OPPOSE THE MOTION AND HAVE NOT REACHED AN AGREEMENT, YOU MUST ATTEND THE HEARING, THE DATE OF WHICH WILL BE SENT TO YOU IF YOU FILE A RESPONSE. UNLESS THE PARTIES AGREE OTHERWISE, THE COURT MAY CONSIDER EVIDENCE AT THE HEARING AND MAY DECIDE THE MOTION AT THE HEARING.

REPRESENTED PARTIES SHOULD ACT THROUGH THEIR ATTORNEYS.

TRUSTEE'S NOTICE OF ABANDONMENT OF SILVER DOLLAR

COMES NOW Kristin J. Conwell, duly appointed Trustee herein, by and through her counsel, and for her Notice of Abandonment of Silver Dollar state as follows:

1. This court has Jurisdiction over the subject matter of this proceeding pursuant to U.S.C. §§ 151, 157 and 1334, Federal Rule of Bankruptcy Procedural 6007 and Local Rule 9.01 of the United States District Court, Eastern District of Missouri.

2. This is a “core proceeding” pursuant to 28 U.S.C. § 157(b)(2)(A) and (O), which the Court may hear and determine.

3. On December 10, 2021 (the “Petition Date”), Debtor filed a Petition for Relief pursuant to Chapter 7 of the United States Bankruptcy Code.

4. Kristin J. Conwell is the duly appointed and acting Chapter 7 Trustee herein.

5. On or about March 22, 2022, Trustee Conwell received a registered mail envelope from the Debtor.

6. The envelope contained approximately 34 sheets of paper and a single silver dollar.

7. The first page is titled “affidavit” and addressed to Daniel J. Casamatta and Trustee Conwell. Upon information and belief, the office of the UST has not received any letters from the Debtor.

8. The affidavit states “please accept this silver coin to discharge all debtors associated “bankruptcy case #21-44485 and case #17-46-765.”

9. The bankruptcy code does not condition entry of discharge pursuant to payment to a bankruptcy trustee or bankruptcy estate.

10. On or about January 13, 2022, the UST filed its Motion Objecting to Discharge based on the debtor having been granted a discharge under 727 or 1141 of the Bankruptcy Code, or under 14, 371, or 476 of the Bankruptcy Act, in a case commenced within 8 years before the Petition Date, 11 U.S.C. 727(a)(8) .

11. On or about February 15, 2022, this Court entered its Order granting the UST Motion Objection to Discharge. *See* Court Doc 28,

12. Based upon the foregoing, the Debtor will not receive a discharge in the instant case.

13. The meeting of creditors was conducted on Friday, April 1, 2022.

14. On the record, the Trustee abandoned the estate’s interest in the silver dollar.

15. Trustee confirmed with the debtor that the address of record was the correct address of the debtor as of April 1.

16. Trustee returned the documents and silver dollar by priority mail, postage fully pre-paid, to the Debtor at 2415 Stoney End Court, Florissant MO 63031.

17. Trustee is seeking an order granting the Trustee's Notice of Abandonment of Silver Dollar and authorizing the Trustee to abandon the estate's interest in the Silver Dollar.

WHEREFORE Trustee prays that this Honorable Court enter its order granting the Trustee's Notice of Abandonment of Silver Dollar, authorizing the Trustee to abandon the estate's interest in the Silver Dollar and for such other and further relief as the Court deems just.

Respectfully Submitted,

By: /s/ Kristin J. Conwell

Kristin J. Conwell, MO #58735
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CERTIFICATE OF SERVICE

I certify that a true and correct copy of the foregoing document was filed electronically with the United States Bankruptcy Court, and has been served on the parties in interest via e-mail by the Court's CM/ECF System as listed on the Court's Electronic Mail Notice List on April 5, 2022.

I certify that a true and correct copy of the foregoing document was filed electronically with the United States Bankruptcy Court, and has been served by Regular United States Mail Service, first class, postage fully pre-paid, addressed to the party below on April 5, 2022.

Carroll Tracey Oberlander
2415 STONEY END COURT
FLORISSANT, MO 63031

/s/ Kristin J. Conwell